

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 801

Short Title: Healthy and Safe Students in Every School. (Public)

Sponsors: Senator Adcock (Primary Sponsor).

Referred to: Rules and Operations of the Senate

May 6, 2024

A BILL TO BE ENTITLED

AN ACT TO REQUIRE AT LEAST ONE SCHOOL NURSE AND AN EMERGENCY SUPPLY OF NALOXONE NASAL SPRAY IN EVERY SCHOOL IN A PUBLIC SCHOOL UNIT AND TO APPROPRIATE FUNDS TO MEET THOSE REQUIREMENTS.

Whereas, the health, well-being, and educational success of public school students in North Carolina are top priorities of the General Assembly; and

Whereas, employing school nurses has been shown to have a critical and positive impact on the health, well-being, and educational success of public school students in kindergarten through grade 12 due to services directed toward keeping students healthy, in class, and ready to learn; and

Whereas, since January 2013, 17,212 North Carolinians have died from opioid or fentanyl involved emergencies, an illicit drug that does not discriminate, killing innocent people in all settings in all 100 counties; and

Whereas, having life-saving naloxone easily available in public schools will save lives; Now, therefore, The General Assembly of North Carolina enacts:

PART I. A NURSE IN EVERY SCHOOL

SECTION 1.(a) Article 7B of Chapter 115C of the General Statutes is amended by adding a new Part to read:

"Part 7. Health and Safety Requirements.

"§ 115C-77.1. A nurse in every school.

The governing body of a public school unit shall ensure that each school within the public school unit has a school nurse available to students at all times during the instructional day. The governing bodies may hire full-time or part-time nurses directly or contract with a third party to provide nursing services."

SECTION 1.(b) There is appropriated from the General Fund to the Department of Public Instruction for the 2024-2025 fiscal year the sum of eighty-nine million dollars (\$89,000,000) in recurring funds to increase the School Health Personnel Allotment in order to provide at least one full-time, permanent school nurse in every school in a public school unit.

PART II. SUPPLY OF EMERGENCY NALOXONE NASAL SPRAY ON SCHOOL PROPERTY

SECTION 2.(a) Part 7 of Article 7B of Chapter 115C of the General Statutes, as enacted by Section 1 of this act, is amended by adding a new section to read:

"§ 115C-77.5. School supply of naloxone nasal spray.



1 (a) The governing body of each public school unit shall provide for a supply of
2 emergency naloxone nasal spray on school property for use by trained school personnel to
3 provide emergency medical aid to persons suffering from an opioid or fentanyl emergency during
4 the school day and at school-sponsored events on school property. Each school shall store in a
5 secure, but unlocked and easily accessible location, a minimum of two boxes of 8 milligram
6 naloxone containing a total of at least four nasal spray doses. For purposes of this section, "school
7 property" does not include transportation to or from school.

8 (b) For the purposes of this section, "naloxone nasal spray" means a disposable drug
9 delivery system that disperses a solution of opioid antagonist into the respiratory system through
10 the nose to provide rapid, critical first aid for persons suffering a potentially fatal opioid or
11 fentanyl emergency.

12 (c) The principal of each school in a public school unit shall designate one or more school
13 personnel, as part of the medical care program under G.S. 115C-375.1, to receive initial and
14 annual retraining from a school nurse or qualified representative of the local health department
15 regarding the storage and emergency use of naloxone nasal spray. Notwithstanding any other
16 provision of law to the contrary, the school nurse or other designated school personnel who has
17 received training under this subsection shall obtain a non-patient specific prescription for
18 naloxone nasal spray from a physician, physician assistant, or nurse practitioner of the local
19 health department serving the area in which the school is located.

20 (d) The principal of each school in a public school unit shall collaborate with appropriate
21 school personnel to develop an emergency action plan for the use of naloxone nasal spray in an
22 emergency. The plan shall include at least the following components:

23 (1) Standards and procedures for the storage and emergency use of naloxone nasal
24 spray by trained school personnel.

25 (2) Training of school personnel in recognizing symptoms of an opioid or fentanyl
26 emergency.

27 (3) Emergency follow-up procedures, including calling emergency services and
28 contacting a student's parent and physician.

29 (4) Instruction and certification in cardiopulmonary resuscitation.

30 (e) A governing body of a public school unit; its members, employees, designees, agents,
31 or volunteers; and a physician, physician assistant, or nurse practitioner of the local health
32 department shall not be liable in civil damages to any party for any act authorized by this section
33 or for any omission relating to that act unless that act or omission amounts to gross negligence,
34 wanton conduct, or intentional wrongdoing."

35 **SECTION 2.(b)** There is appropriated from the Opioid Abatement Reserve to the
36 Department of Public Instruction the sum of three hundred fifty thousand dollars (\$350,000) in
37 nonrecurring funds for the 2024-2025 fiscal year to be allocated to public school units for the
38 purchase of an initial school supply of naloxone nasal spray and to facilitate the training required
39 by this section.

40 **PART III. MISCELLANEOUS**

41 **SECTION 3.(a)** Funds appropriated pursuant to this act shall supplement and not
42 supplant any funds from any source already provided for the same purposes.

43 **SECTION 3.(b)** This act becomes effective July 1, 2024, and applies beginning with
44 the 2024-2025 school year.
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